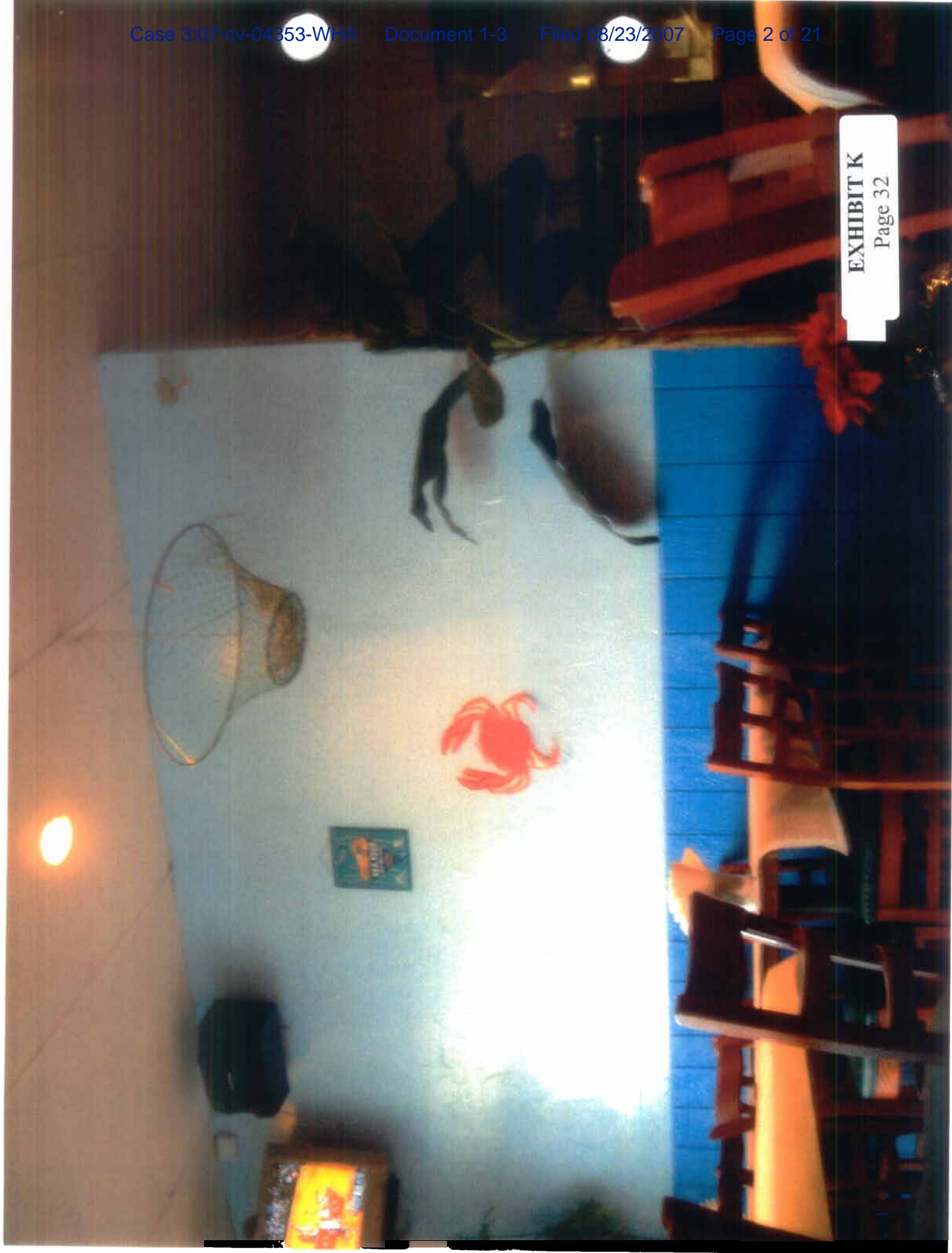


Sinhdarella, Inc. v. Kevin Vu, et al.

C07-04353 JCS

# Exhibit K

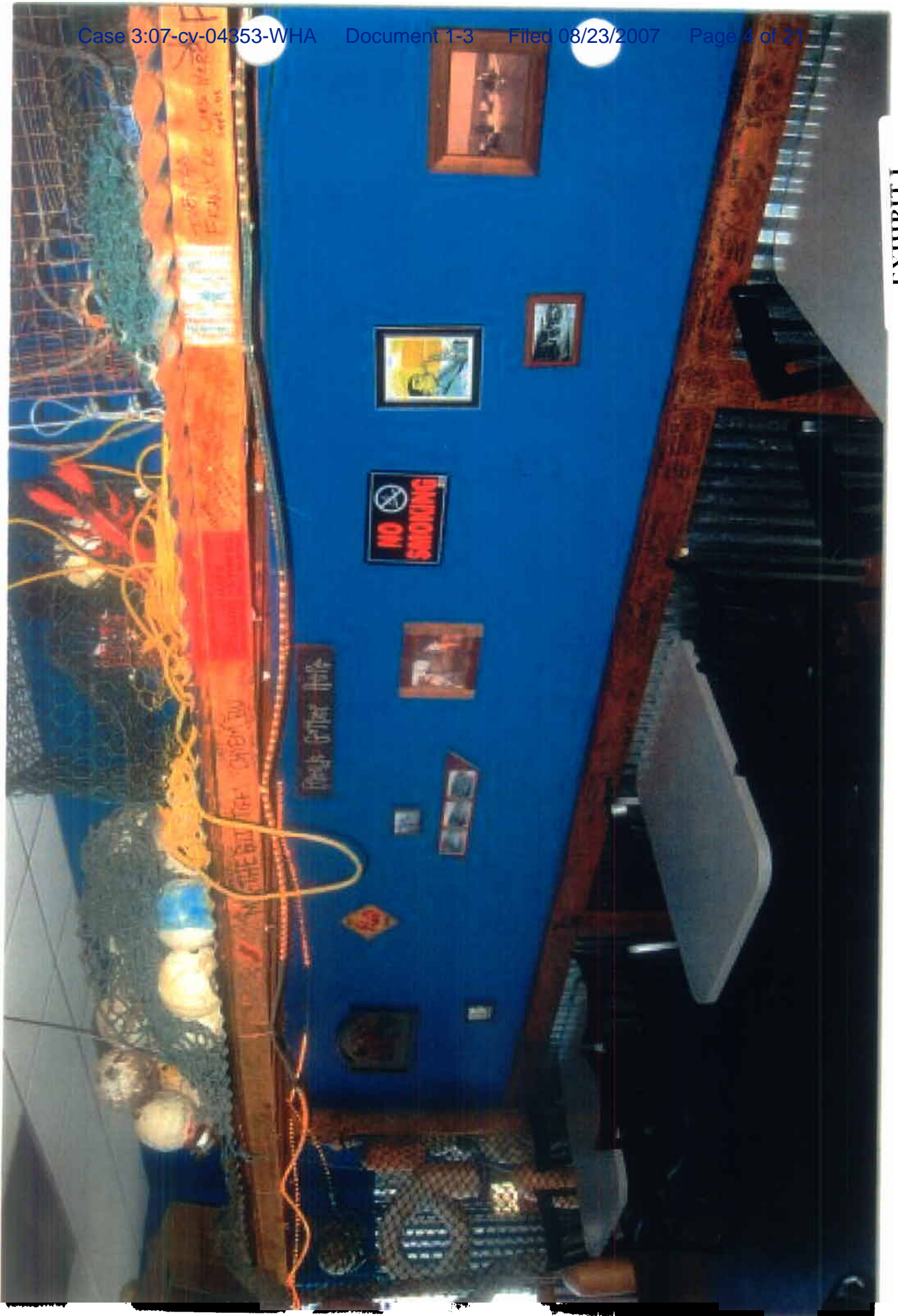
**EXHIBIT K**  
Page 32



Sinhdarella, Inc. v. Kevin Vu, et al.

C07-04353 JCS

# Exhibit L



Sinhdarella, Inc. v. Kevin Vu, et al.

C07-04353 JCS

# Exhibit M



## LATHAM & WATKINS LLP

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Milan	Singapore
Moscow	Tokyo
Munich	Washington, D.C.

File No. 043378-0000

May 22, 2007

### VIA CERTIFIED MAIL

Mr. Kevin Vu d/b/a "The Boiling Crab"  
393 N. Capitol Ave.  
San Jose, CA 95133

Re: Trademark Infringement – THE BOILING CRAB trademark

Dear Mr. Vu:

We represent Sinhdarella Inc. d/b/a The Boiling Crab ("The Boiling Crab") in intellectual property enforcement matters.

The Boiling Crab has offered and sold restaurant services and related products and services under the trademark **THE BOILING CRAB**, including by operating restaurants specializing in Louisiana-style seafood dishes under the trademark **THE BOILING CRAB**, since at least as early as 2003. The Boiling Crab is the owner of valuable trademark rights that have contributed to its success, including the trademark **THE BOILING CRAB**. The Boiling Crab also owns United States Trademark Application Serial No. 78/954,843 for the trademark **THE BOILING CRAB** in International Class No. 43 in connection with *restaurant services*. The United States Patent and Trademark Office has reviewed The Boiling Crab's application, approved it for publication, and it is expected that a registration on this application will be issued shortly. The Boiling Crab is firmly committed to defending its valuable trademark rights.

It has come to our attention that you are operating a Louisiana-style seafood restaurant under the name **THE BOILING CRAB**, without the consent or authorization of The Boiling Crab. Photographs of your restaurant are enclosed herewith.

Your unauthorized use of our client's **THE BOILING CRAB** trademark is likely to cause confusion and constitutes: (1) trademark infringement, unfair competition, and false designation of origin in violation of 15 U.S.C. § 1125(a); (2) trademark dilution in violation of 15 U.S.C. § 1125(c); (3) trademark infringement, unfair competition, and dilution under California law and the law of other states; and (4) a violation of various other state and federal laws.

By way of this letter, The Boiling Crab demands that you, and all persons and entities affiliated with you, immediately cease and desist from any further use of the name **THE BOILING CRAB**, or of any other mark that is confusingly similar to the trademark **THE**

LATHAM & WATKINS LLP

**BOILING CRAB.** The Boiling Crab also demands that you immediately provide us with the following information:

1. A detailed summary of your total gross revenues from the restaurant you are operating under the trademark **THE BOILING CRAB**, from the opening of your restaurant to the present;
2. A detailed summary of your expenses from the restaurant you are operating under the trademark **THE BOILING CRAB**, from the opening of your restaurant to the present; and
3. A detailed summary of all uses by you of the trademark **THE BOILING CRAB**.

Please send me written acknowledgment by no later than **June 1, 2007** that you have complied, and will permanently comply, with these demands. So long as you do so, we will work with you to try to reach an amicable resolution of this matter. If you fail to abide by these reasonable demands, The Boiling Crab may have no choice but to protect its rights through litigation. If The Boiling Crab is forced to protect its valuable trademark rights through litigation, it will seek all available remedies, including but not limited to preliminary and permanent injunctive relief, damages, increased damages, attorneys' fees, and costs. Moreover, if you continue to use the name **THE BOILING CRAB** after receipt of this letter, such continuing use would unquestionably constitute willful infringement, thereby entitling The Boiling Crab to additional remedies in the event that litigation is necessary.

We are hopeful that you are willing to work with us to reach an amicable resolution of this matter. Nothing contained in this letter constitutes an express or implied waiver of any right or remedy, all of which are expressly reserved.

Sincerely,



Michael W. De Vries  
of LATHAM & WATKINS LLP

Enclosures (photographs)

**EXHIBIT M**  
Page 35

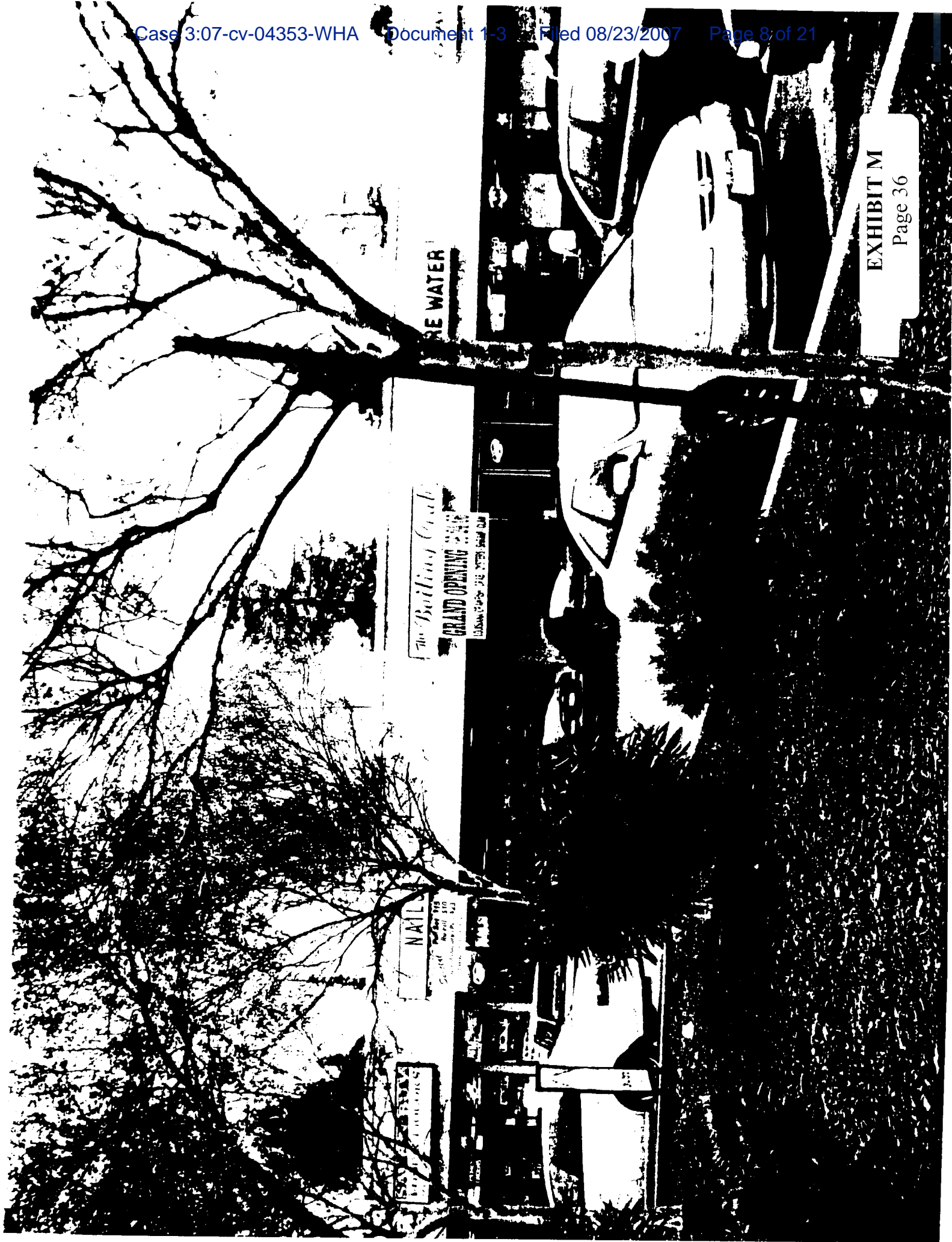


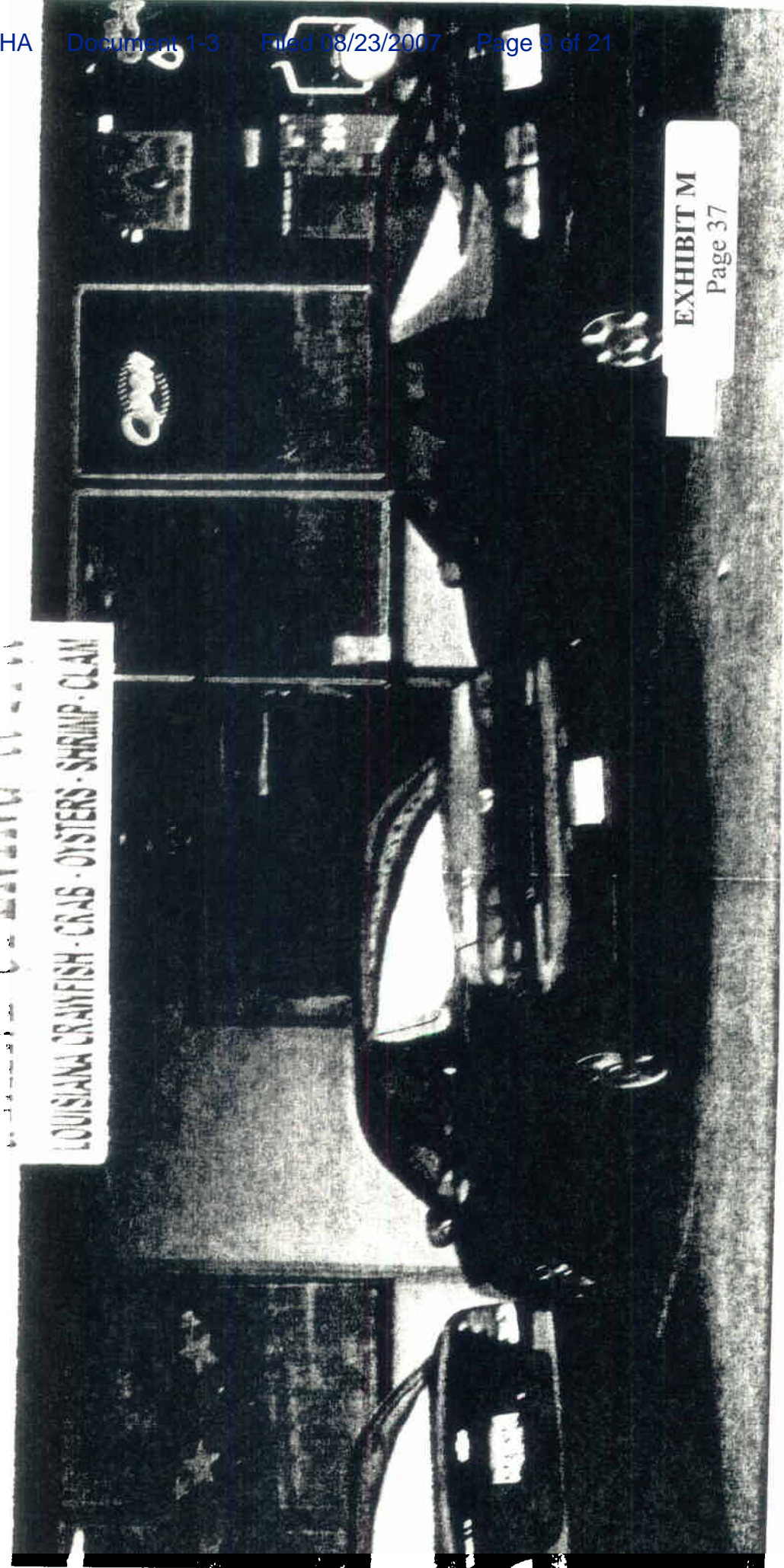
EXHIBIT M  
Page 36



GRAND OPENING OF THE

LOUISIANA CRAYFISH - CRAB - OYSTERS - SHRIMP - CLAM

EXHIBIT M  
Page 37



Sinhdarella, Inc. v. Kevin Vu, et al.

C07-04353 JCS

# Exhibit N

Michael De Vries

Attorney

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mike.devries@lw.com

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Costa Mesa, California 92626-1925

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Moscow	Tokyo
Munich	Washington, D.C.

June 26, 2007

**VIA FEDERAL EXPRESS**

Mr. Kevin Vu  
d/b/a "The Boiling Crab"  
393 N. Capitol Ave.  
San Jose, CA 95133

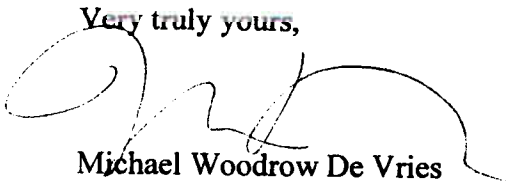
Re: **Trademark Infringement – THE BOILING CRAB trademark**

Dear Mr. Vu:

Please find enclosed an additional copy of my letter to you dated May 22, 2007, which was sent to you via Certified Mail on that date. Your prompt attention to this matter is requested. If you fail to respond to our May 22 letter and agree to the reasonable demands contained therein by July 6, 2007, we will assume you have no intention to do so and will proceed accordingly.

Nothing contained in this letter constitutes an express or implied waiver of any right or remedy, all of which are expressly reserved.

Very truly yours,



Michael Woodrow De Vries  
of LATHAM & WATKINS LLP

Enclosure

**EXHIBIT N**  
Page 38

## LATHAM & WATKINS LLP

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Munich	Washington, D.C.

File No. 043378-0000

May 22, 2007

### VIA CERTIFIED MAIL

Mr. Kevin Vu d/b/a "The Boiling Crab"  
393 N. Capitol Ave.  
San Jose, CA 95133

Re: Trademark Infringement – THE BOILING CRAB trademark

Dear Mr. Vu:

We represent Sinhdarella Inc. d/b/a The Boiling Crab ("The Boiling Crab") in intellectual property enforcement matters.

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Your unauthorized use of our client's **THE BOILING CRAB** trademark is likely to cause confusion and constitutes: (1) trademark infringement, unfair competition, and false designation of origin in violation of 15 U.S.C. § 1125(a); (2) trademark dilution in violation of 15 U.S.C. § 1125(c); (3) trademark infringement, unfair competition, and dilution under California law and the law of other states; and (4) a violation of various other state and federal laws.

By way of this letter, The Boiling Crab demands that you, and all persons and entities affiliated with you, immediately cease and desist from any further use of the name **THE BOILING CRAB**, or of any other mark that is confusingly similar to the trademark **THE**

EXHIBIT N

Page 39

LATHAM & WATKINS LLP

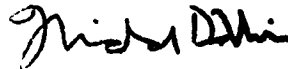
**BOILING CRAB.** The Boiling Crab also demands that you immediately provide us with the following information:

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3. A detailed summary of all uses by you of the trademark **THE BOILING CRAB**.

Please send me written acknowledgment by no later than **June 1, 2007** that you have complied, and will permanently comply, with these demands. So long as you do so, we will work with you to try to reach an amicable resolution of this matter. If you fail to abide by these reasonable demands, The Boiling Crab may have no choice but to protect its rights through litigation. If The Boiling Crab is forced to protect its valuable trademark rights through litigation, it will seek all available remedies, including but not limited to preliminary and permanent injunctive relief, damages, increased damages, attorneys' fees, and costs. Moreover, if you continue to use the name **THE BOILING CRAB** after receipt of this letter, such continuing use would unquestionably constitute willful infringement, thereby entitling The Boiling Crab to additional remedies in the event that litigation is necessary.

We are hopeful that you are willing to work with us to reach an amicable resolution of this matter. Nothing contained in this letter constitutes an express or implied waiver of any right or remedy, all of which are expressly reserved.

Sincerely,

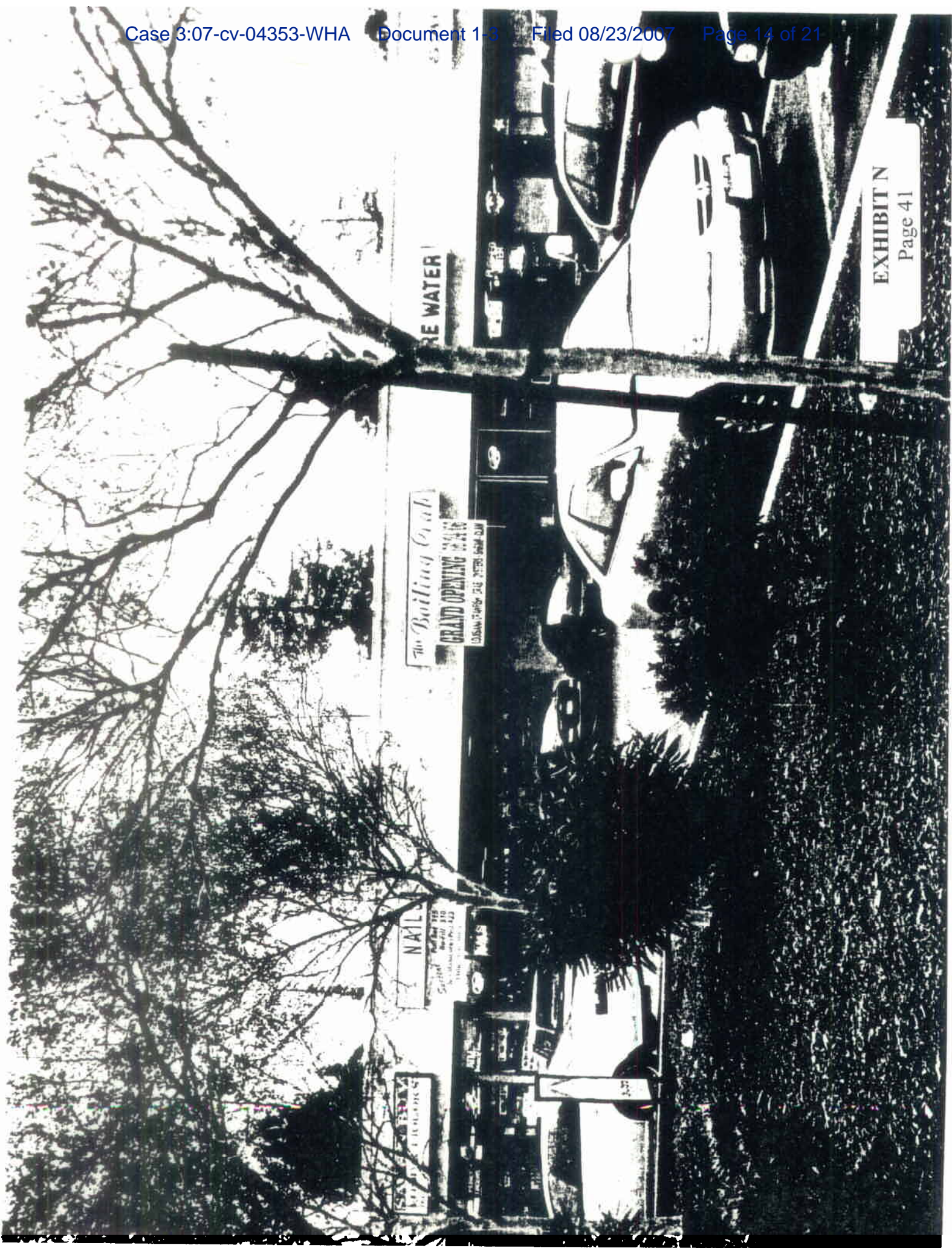


Michael W. De Vries  
of LATHAM & WATKINS LLP

Enclosures (photographs)

**EXHIBIT N**  
Page 40



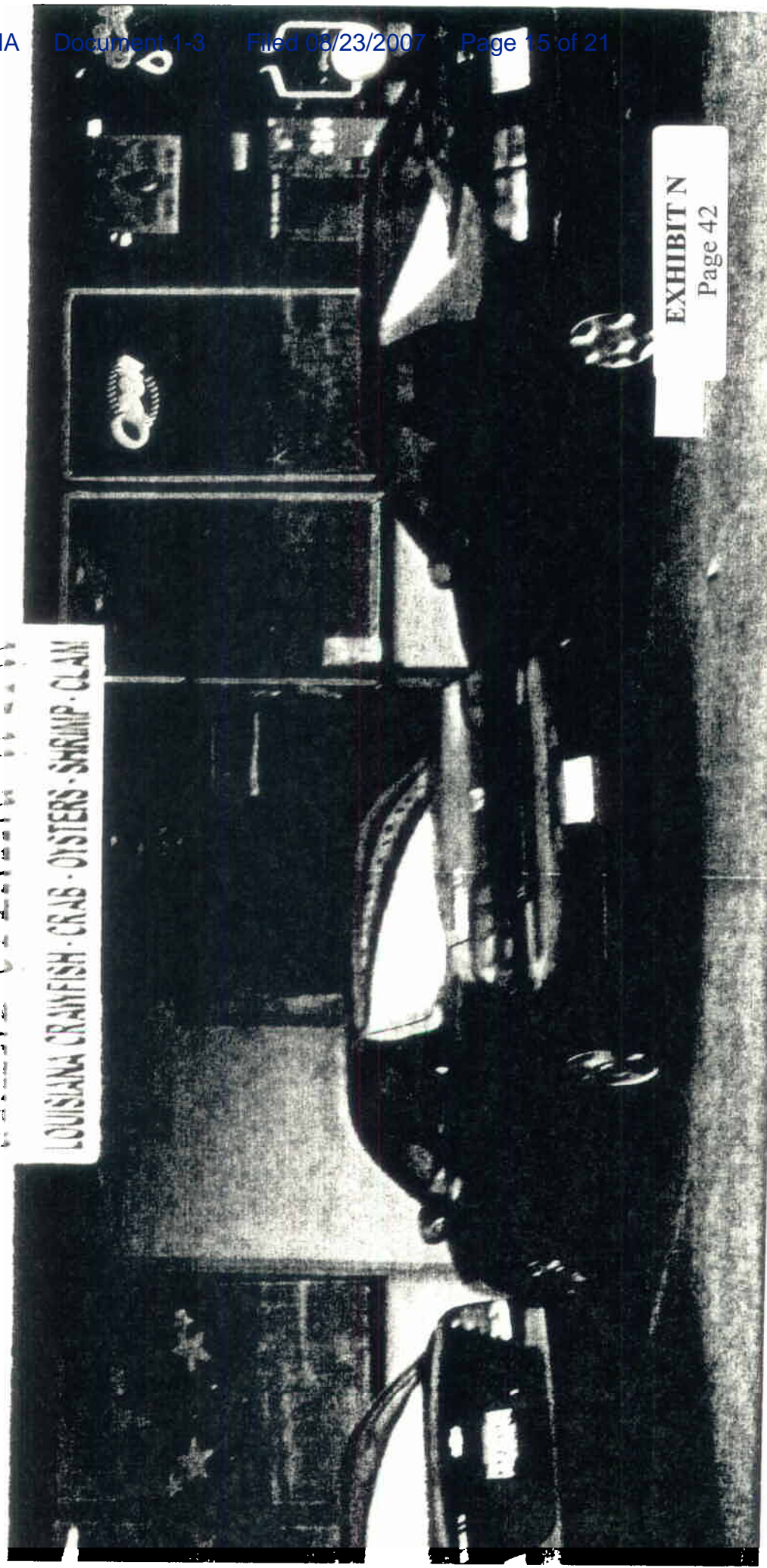




GRAND OPENING 10/1/06

LOUISIANA CRAYFISH - CRAB - OYSTERS - SHRIMP - CLAM

EXHIBIT N  
Page 42



Sinhdarella, Inc. v. Kevin Vu, et al.

C07-04353 JCS

# Exhibit O

Michael De Vries  
Attorney  
Direct Dial: (714) 755-8170  
mike.devries@lw.com

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Costa Mesa, California 92626-1925  
Tel: +714 540.1235 Fax: +714.755.8290  
www.lw.com

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Milan	Singapore
Moscow	Tokyo
Munich	Washington, D.C.

July 23, 2007

**VIA MESSENGER**

Mr. Kevin Vu  
d/b/a "The Boiling Crab"  
393 N. Capitol Ave.  
San Jose, CA 95133

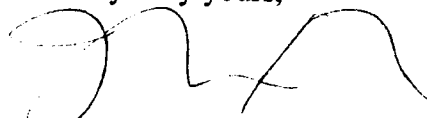
Re: **Trademark Infringement – THE BOILING CRAB trademark**

Dear Mr. Vu:

Please find enclosed an additional copy of my letter to you dated May 22, 2007, which was sent to you via Certified Mail on that date and via Federal Express on July 16, 2007. Your prompt attention to this matter is requested. If you fail to respond to our May 22 letter and agree to the reasonable demands contained therein by August 5, 2007, we will assume you have no intention to do so and will proceed accordingly.

Nothing contained in this letter constitutes an express or implied waiver of any right or remedy, all of which are expressly reserved.

Very truly yours,



Michael Woodrow De Vries  
of LATHAM & WATKINS LLP

Enclosure

**EXHIBIT O**  
Page 43

## LATHAM & WATKINS LLP

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Moscow	Tokyo
Munich	Washington, D.C.

File No. 043376-0000

May 22, 2007

### VIA CERTIFIED MAIL

Mr. Kevin Vu d/b/a "The Boiling Crab"  
393 N. Capitol Ave.  
San Jose, CA 95133

Re: Trademark Infringement – THE BOILING CRAB trademark

Dear Mr. Vu:

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EXHIBIT O

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LATHAM & WATKINS LLP

**BOILING CRAB.** The Boiling Crab also demands that you immediately provide us with the following information:

1. A detailed summary of your total gross revenues from the restaurant you are operating under the trademark **THE BOILING CRAB**, from the opening of your restaurant to the present;
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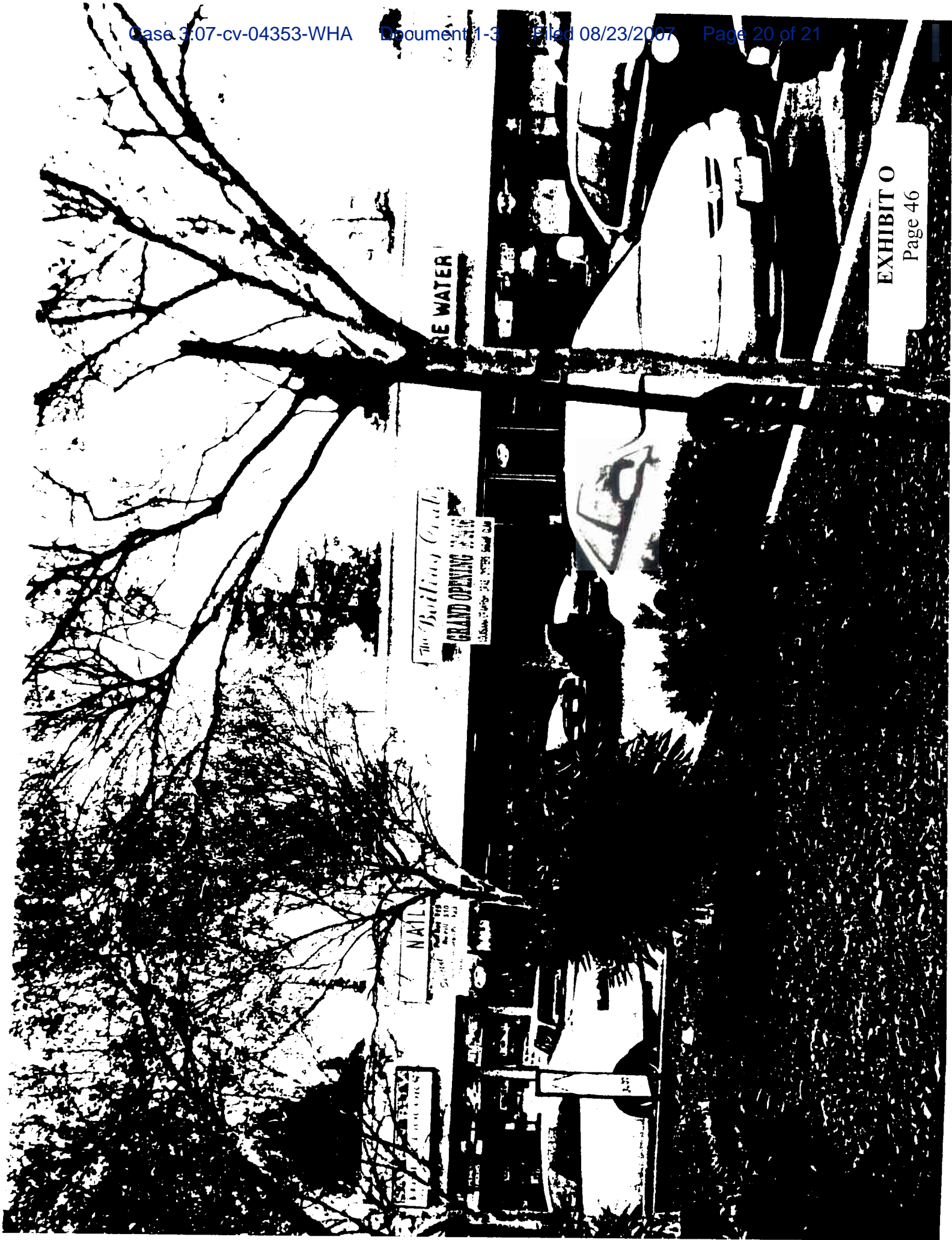
Michael W. De Vries  
of LATHAM & WATKINS LLP

Enclosures (photographs)

**EXHIBIT O**

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GRAND OPENING 06/24/06

LOUISIANA CRAYFISH - CRAB - OYSTERS - SHRIMP - CLAM

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